

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JACKSON PURCHASE ELECTRIC COOPERATIVE CORPORATION)	
)	
)	CASE NO. 93-231
)	
_____)	
ALLEGED FAILURE TO COMPLY WITH COMMISSION REGULATIONS)	
)	

SHOW CAUSE ORDER

Jackson Purchase Electric Cooperative Corporation ("Jackson Purchase"), a Kentucky corporation engaged in the distribution of electricity to or for the public, for compensation, for lights, heat, power, or other uses, is a utility under the jurisdiction of the Commission pursuant to KRS 278.010(3)(a), 278.040(1), and 279.210(1). KRS 278.040(3) authorizes the Commission to promulgate reasonable regulations to implement the provisions of KRS Chapter 278 and to investigate the methods and practices of utilities. Pursuant to this authority, the Commission promulgated 807 KAR 5:006, Section 24, which requires every utility to adopt and execute a safety program, and 807 KAR 5:041, Section 3(1), which adopts the National Electrical Safety Code 1990 Edition ("NESC"). In compliance with the requirement to adopt a safety program, Jackson Purchase has adopted the American Public Power Association Safety Manual, Eighth Edition ("APPA").

Commission Staff prepared a May 5, 1993 Electrical Utility Accident Investigation Report ("Accident Report"), attached hereto as Appendix A, which alleges that on April 2, 1993, Richard Newton,

first class lineman and foreman for Jackson Purchase, was installing a lightning arrestor and cut out assembly on an energized deadend transformer pole installation at the Birdsville Campground, Livingston County, Kentucky. While working in his bucket truck, Mr. Newton inadvertently came in contact with the 7.2 KV energized installation, sustaining burns to his hand and left arm. Mr. Newton was not wearing rubber gloves, his bucket truck was not grounded, and no protective rubber equipment had been placed on the deadend transformer installation.

Based on a review of the Accident Report, and being advised, the Commission hereby finds that a prima facie case has been made that Jackson Purchase committed the following violations:

1. APPA Section 3, 311 v, requires aerial bucket trucks working adjacent to energized primary lines to be properly grounded.

2. APPA Section 5, 502 b, requires rubber protective equipment to be utilized when work is to be done on or near energized lines.

3. APPA Section 5, 504 d)1), requires employees to wear rubber gloves while working within falling or reaching distance of installations that are energized.

4. NESC Section 42, 420H, requires employees to use personal protective equipment, i.e. rubber gloves.

5. NESC Section 42, 402H, requires employees to use protective devices, i.e. grounds.

6. NESC Section 42, 421A.1 and 2, requires a person in charge to adopt such precautions that are within his authority to prevent accidents and ensure that safety rules and operating procedures are observed.

The Commission, on its own motion, HEREBY ORDERS that:

1. Jackson Purchase shall appear at a hearing on August 5, 1993 at 9:30 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky to show cause why it should not be subject to the penalties prescribed in KRS 278.990 for the probable violations of 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3(1).

2. Jackson Purchase shall file within 20 days of the date of this Order a written response to the probable violations noted herein.


3. The Accident Report attached hereto as Appendix A shall be made a part of the record in this case.


4. Any request for an informal conference shall be made in writing and filed within 20 days of the date of this Order.


5. Any request to reschedule the hearing shall be made in writing and filed at least two business days prior to the date of the scheduled hearing.

Done at Frankfort, Kentucky, this 6th day of July, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 5/5/93 SUBMITTED BY John W. Land

NAME OF UTILITY Jackson Purchase RECC

ACCIDENT REPORTED BY Dee Jeffries, Manager, Human Resource

DATE AND TIME ACCIDENT OCCURRED 4/2/93 - 1:04 p.m. (CST)

DATE & TIME UTILITY LEARNED OF ACCIDENT 4/2/93 - 1:05 p.m. (CST)

DATE & TIME ACCIDENT REPORTED 4/2/93 - 3:25 p.m. (EST)

DATE OF ACCIDENT INVESTIGATION 4/5/93

DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 4/8/93

PERSONS ASSISTING IN THE INVESTIGATION Donald R. Schaefer,

Manager, Engineering; Donnie Lanier, Manager, Operations; Steve

Coffer, First Class Lineman; Matt Hayden, Apprentice Lineman;

Daryl Johnson, Apprentice Lineman, all Jackson Purchase employees.

NAME OF VICTIM 1. Mr. Richard E. Newton SEX M AGE 47

FATAL No NAME OF EMPLOYER: Jackson Purchase RECC

INJURIES Burns to right hand and left arm

LOCATION OF ACCIDENT SITE On Highway 137 approximately 4 miles

north of Highway 60 at Birdsville Campground in Livingston County.

DESCRIPTION OF ACCIDENT Mr. Richard E. Newton, a first class

lineman and foreman for Jackson Purchase RECC was injured while

working on an energized deadend transformer pole installation at

the Birdsville Campground located in Livingston County, Kentucky.

Mr. Newton had his bucket truck near the installation and was

working out of his bucket installing a lightning arrestor and

cutout assembly when he inadvertently came into contact with the

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

7200 volt energized installation. Mr. Newton was not wearing his rubber gloves; did not have his bucket truck grounded and had not installed protective rubber equipment on the deadend transformer installation.

SOURCE OF INFORMATION Mr. Dee Jeffries, Mr. Donald R. Schaefer, Mr. Donnie Lanier, Mr. Matt Haydon, and Mr. Daryl Johnson who are employees of Jackson Purchase RECC and an on-site investigation by John W. Land

PROBABLE VIOLATIONS OF COMMISSION REGULATIONS Commission Regulation 807 KAR 5:041 (Electric), Section 3(2) requires that each electric utility construct and maintain its plant in accordance with the National Electric Safety Code, ANSI C-2 1990 Edition ("NESC"). Commission Regulation 807 KAR 5:006 (General Rules), Section 24, requires that each utility shall adopt and execute a safety program. Jackson Purchase RECC had adopted the American Public Power Association Safety Manual, Eighth Edition ("APPA") as part of its safety program. There are six probable violations involved in this accident and are as follows:

- (1) The NESC Section 42 subsection 420 H requires employees to use the personal protective equipment (rubber gloves).
- (2) The NESC Section 42 subsection 420 H requires employees to use protective devices (grounds).
- (3) The NESC Section 42 subsection 421 A. 1 & 2 requires a person in charge to adopt such precautions as are within his authority to prevent accidents and see that the safety rules and operating procedures are observed.

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

(4) The APPA Section 3 subsection 311 v) requires aerial basket vehicles working adjacent to energized primary lines to be properly grounded.

(5) The APPA Section 5 subsection 502 b) requires that when work is to be done on or near energized lines and grounded conductors or guy wires, they shall be covered with rubber protective equipment.

(6) The APPA Section 5 subsection 504 d) 1) requires that employees shall wear rubber gloves while working within falling or reaching distance of installations that are energized or may become energized.

RECOMMENDATIONS It is recommended that the Commission consider action in accordance with KRS 278.990, due to Jackson Purchase RECC's employee Mr. Richard E. Newton probable violation of Commission Regulations 807 KAR 5:041, Section 3(2), and 807 KAR 5:006, Section 24.

CORRECTIVE ACTION None taken at this time

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)
LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>32'-11 3/4"</u>	<u>18.5'</u>
Neutral conductor to ground elevation:	<u>28'-10"</u>	<u>15.5'</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>32'-11 3/4"</u>	<u>18.5'</u>
Neutral conductor to ground elevation:	<u>28'-10"</u>	<u>15.5'</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
C. SPAN LENGTH <u>Approximately 112 feet</u>		
Date the line or facilities were constructed: <u>2/5/92</u>		
Voltage of line or facilities: <u>7200 volts</u>		
Date last inspected by utility: <u>3/30/93</u>		
Utility: <u>Jackson Purchase RECC</u>		
Date: <u>4/5/93</u> Time: <u>2:15 p.m. (EST)</u>		
Approximate temperature: <u>50 degrees F.</u>		

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

Measurements made by: Steve Coffey and William Johnson of
Jackson Purchase RECC, Mr. John W. Land, PSC Engineering Staff

Submitted by:

John W. Land